(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO. 3330 OF 2003

PETITIONER : Kuber Sahu,son of B.R.Sahu,aged about 37 years, Occupation-Accountant, posted at Office of Assistant Commissioner,Tribal Welfare,Kanker, (C.G.), [redacted]:-

V E R S U S

RESPONDENTS :1. State of Chhattisgarh ,through Secretary, Adim Jatiaand Anusuchit Jati Vikas D.K.S.Bhawan,Mantralay,Raipur, District Raipur,(C.G.)

:2. Director, Adim Jati and Anusuchit Jati Vikas, Raipur,Chhattisgarh.

:3. Additional Director, Adim Jati and Anusuchit Jati, Raipur,Chhattisgarh.

:4. Umed Ram Yadav, Accountant ,posted at Asstt.Project Administration Office,Dantewada, District Dantewada,(C.G.)

P.R. No. 319/6/03
Presented by Shri Biman Kesharwani
dated 13/10/03

CERTIFIED COPY,
13/10/03
CLERK HIGH COURT BILASPUR

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3350 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

05.12.2003

Shri Yogesh Pandey, counsel for the petitioner.

Shri P.Das, Panel Lawyer for the State.

Heard.

By this writ petition under Article 226/227 of Constitution of India the petitioner has challenged the transfer order dated 01.10.2003 by which the petitioner has been transferred from Kanker to Dantewada.

The petitioner is working as Accountant in the office of Assistant Commissioner, Adiwasi Vikas, Kanker and vide impugned order the petitioner has been transferred to Dantewada. The grievance of the petitioner is that being a Class-III employee his transfer cannot be made out of District, moreover, the petitioner's old parents are residing with him and if the petitioner is transferred to Dantewada he will not be able to look after his parents, moreover, in the earlier part of service the petitioner has already worked more than ten yeas in the Bastar District and his transfer has been effected in order to accommodate respondent no.4. Therefore, the transfer order of the petitioner should be quashed.

Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation and respondent may be directed to consider his representation to which learned Panel Lawyer has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is

XI-HC-22

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

allowed to make a detailed representation raising all his grievances within a period of ten days from today to respondent no.2 and respondent no.2 in turn shall decide the representation of the petitioner within another period of thirty days in an objective manner considering all his grievances with a reasoned order.

It is also directed that if the petitioner has not already been relieved then he should not relieved till the decision of the representation.

With this observation and direction, the petition stands disposed of.

Consequently, M.W.P. No. 3053/2003 & I.A. No.9800/2003 also stands disposed of.

Certified copy as per Rules.

Sd/-
L.C.BHADOO
Judge

Roshan

[पीछे देखिये